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FOR

The better Preservation of the Pollen Fisheries in Ireland. A.D. 1890.

WHEREAS the laws relating to the fisheries of Ireland do not sufficiently provide for the preservation of the pollen fisheries thereof:

Be it therefore enacted by the Queen's most Excellent Majesty,
5 by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act shall not apply to England or Scotland.

Application of Act.

2. This Act may be cited for all purposes as the Pollen Fisheries
10 (Ireland) Act, 1891, and shall be construed together with the Salmon Fisheries Act now in force in Ireland, and be incorporated therewith.

Short title and construction.

3 From on and after the *passing of this Act* it shall be illegal to
15 take pollen of less size than seven inches in length, measured from the nose to the utmost extent of the tail, and any person wilfully taking, killing, destroying, buying, selling or exposing for sale, sending, or having in his custody or possession any pollen of less size than that herein-before mentioned shall forfeit *one shilling* for every such fish so taken, killed, destroyed, bought, sold, or exposed
20 for sale, sent, or in his possession or custody, together with the forfeiture of all such fish; and all persons empowered to enforce the provisions of the said Salmon Fishery Acts shall be and are hereby empowered to seize all such pollen.

Pollen under certain size not to be taken.

4. Nothing in this Act contained shall apply to any person who
25 shall catch or attempt to catch or shall have in his possession such pollen for scientific purposes.

Exception of pollen caught or kept for certain purposes.

5. It shall be lawful for all officers and men of the constabulary and for all persons empowered to enforce the provisions of the Salmon Fishery Acts, to open and examine all baskets and boxes

Constabulary, water bailiffs, and others

[Bill 91.]

A.D. 1850.

empowered
to open and
examine
baskets
and boxes.

and other packages containing fish, whether at railway stations, docks or quays, markets, stores, fishing places, or any other places whatsoever for the purposes of enforcing the provisions of this Act and of the said Acts: Provided that none of the parties hereby authorised to open and examine such baskets, boxes, and other 5 packages shall be liable for any damage caused by such opening and examining, unless the same shall be done wantonly and maliciously.

Constabulary,
water bailiffs, and
others
empowered
to stop and
search boats
on salmon
rivers.

6. All officers and men of the constabulary, and any inspectors, water bailiffs, or other officers appointed under the said Acts, acting 10 within the limits of his district, may do all or any of the following things in addition to all other powers or duties conferred on him by the said Acts or this Act (that is to say):—

(1.) Stop and search on any river, lake, or estuary or part of the sea coast, any boat, barge, corach, or other vessel used in 15 fishing, or which there is reasonable cause to suspect contains any pollan, and seize any fish, instrument of fishing or other articles forfeited in pursuance of the said Acts or this Act; and any person refusing to allow any such boat, barge, corach, or other vessel to be stopped and searched, or resisting or 20 obstructing any such inspector, water bailiff, or other officer in any such search, shall for every such offence be liable to a penalty not exceeding *five pounds* and not less than *two pounds*.

(2.) Search and examine all nets, baskets, bags, hampers, boxes, 25 or other instruments used in fishing or in carrying fish by persons whom there is reasonable cause to suspect of having possession of fish illegally caught; seize all fish and other articles forfeited in pursuance of the said Acts or this Act. Any person refusing to allow any nets, baskets, bags, hampers, 30 boxes, or other instruments used in fishing or in carrying fish to be searched or examined, or resisting or obstructing any such inspector, water bailiff, or other officer in any such search or examination, shall for every such offence be liable to a penalty not exceeding *five pounds* and not less than *two* 35 *pounds*.

Water
bailiff's
warrant
sufficient
authority.

7. The production by the water bailiffs or other officer of the instrument of his appointment, executed in the manner prescribed by this Act, shall be a sufficient warrant for any water bailiff or other officer exercising the authorities given to him under the said 40 Acts or this Act.

8. All appointments by any board of conservators made in pursuance of the said Acts of any treasurer, clerk, inspector, water bailiffs, or other officer shall be prepared and printed in such form as the said inspectors of Irish fisheries shall prescribe, or from time to time think necessary to adopt; and shall be stamped with the seal of such board, and signed by not less than three members thereof. And in all cases where it shall hereafter become necessary to prove any such appointment in any court of law or justice, or elsewhere, the production of such appointment purporting to be sealed with the seal of such board shall be deemed and taken as full and sufficient evidence of such appointment.

A.D. 1863.
Proof of
validity of
warrant.

9. All officers and men of the constabulary, and all other officers and persons appointed to carry out and enforce the provisions of the Salmon Fisheries Act, now in force, shall also be empowered to carry out and enforce the provisions of this Act, and the Fishery Acts now in force.

Constabulary
and other
officers to
carry out and
enforce this
Act, and
Fishery Acts
now in force.
Recovery of
penalties.

10. All penalties imposed by this Act shall be recovered and applied in manner in which penalties under the said Acts are recoverable and applicable.

